

Eliminating T-Mobile as a viable competitor is bad for consumers, bad for the economy, and bad for innovation and handset makers.

Bad for consumers - Eliminating choice and competition is 'never' good for consumers. This WILL increase prices as was seen after Cingular purchased AT&T Wireless Services; and after Sprint purchased Nextel. Today, consumers have (unfortunately only) two choices for the worldwide GSM standard. By eliminating one of these choices, the US will have a bad distinction of having just one single GSM provider on a national scale.

In addition, T-Mobile has the fairest and most competitive pricing of all carriers. In the last couple of weeks, they have modified their pricing to be slightly higher in an attempt to show that they are basically the same price as AT&T, which was not the case 30 days ago. They are the ONLY carrier that allows consumers to pay \$20 less per month when purchasing a handset at full retail price. This is state of the art consumer-focused policies that will be eliminated by AT&T. Furthermore, T-Mobile does not put restrictive "caps" on its data network. AT&T has the lowest allowable usage of any national provider. They allow only limited usage and charge overage fees for very small amounts of data.

T-Mobile customers WILL be forced into buying new devices (that are severely limited in functionality by AT&T) and will be required to agree to new 2-year terms with higher pricing. This is consistent with what Cingular did with original AT&T Wireless Services customers. Original AT&T Wireless Services customers were not allowed to modify rate plans, purchase new devices, or have any other services added or changed unless they purchased a new device, agreed to two more years of service, chose a higher priced rate plan, and gave up protections such as one free minute for every dropped call. Cingular (now AT&T) eliminated all of these protections. The same will happen to T-Mobile customers.

Bad for the economy - Jobs will absolutely be eliminated at T-Mobile and as importantly, its authorized resellers. Many authorized agents rely on T-Mobile as their primary source of income. Eliminating T-Mobile will close these agents and cause more unemployment at time when this country is in desperate need of creating jobs, not eliminating them. This is consistent with what Cingular (now known as AT&T) did with AT&T Wireless Services when they claimed that no jobs would be lost then almost immediately eliminated thousands of jobs and the buyout was completed.

Bad for innovation and handset makers -- T-Mobile is an "open" company allowing consumers to utilize their devices as they wish without restrictions. T-Mobile was the first company to fully support the fully "open" and unrestricted Android operating system, even fully sponsoring the fully unlocked and unmodified Nexus line of smart phones from Google. AT&T refuses to sponsor these devices. AT&T also refuses to release a "pure" Android operating system phone which is free from all of their

paid-for applications that are forced on their customers without choice. Every single smart phone that AT&T releases is tightly controlled and locked down by AT&T and the company refuses to allow consumers to choose the applications and services that 'they' want. Furthermore, AT&T restricts usage and certain applications on the application markets available on AT&T phones. There will be no incentive for Google, Microsoft, and others to innovate as all of their efforts will be controlled by two mega-companies (AT&T and Verizon) as those two companies will control 80% of all wireless communications in the US. AT&T also refuses to unlock their phones for use on other networks in other countries. T-Mobile has always unlocked all of their phones after 3 months of service. With AT&T, even with two full years of service, AT&T will NOT unlock phones contrary to what they claim. They claim to unlock phones, that are not exclusive to them. However, to keep phones "exclusive" they have manufactures modify model numbers so that they can claim to be the exclusive carrier of any given device. I have personally gone through this with them and was refused an unlock code.

Today, consumers are free to browse where they wish, and thanks to "open" platforms such as T-Mobile's sponsored Nexus line of unlocked and "pure" Google Android smart phones, consumers can utilize and modify their devices as they wish. AT&T is yet to release a single "pure" Android phone that allows consumers to make their own choices as to which applications they wish to have. AT&T requires ALL of its phones to be loaded with at least one dozen pay-for applications that cannot be removed by the customer -- even if the customer pays full price for the handset. AT&T tightly controls what applications and usage patterns are allowed by by their customers and refuses to give consumers choice.

The benefits that AT&T is claiming for both company's customers are highly limited. This is related to voice only and data services that are utilizing 10+ year old technology -- not 3rd or 4th generation. As the companies utilize different frequencies and neither company sells phones are capable of working on the other carrier's network, there will be NO benefit to anyone.

AT&T claims that it will be able to deploy LTE much quicker if it were to eliminate T-Mobile. The only way this can be done is to force all T-Mobile customers on to AT&T's existing network and force those customers to give up their lower priced voice and data plans in favor of AT&T's much higher priced (and capped) plans in addition to being forced into buying highly restricted new phones along with migration fees. **THIS IS NOT A WIN FOR CONSUMERS AT ALL.** This is not fiction, this is the only way quickening the deployment of LTE can happen.

The FCC needs to block this entire transaction completely. There is absolutely nothing good that will come out of eliminating choice for customers and handing all innovation to two mega-companies in a duopoly. I sincerely hope the FCC will prevent a duopoly and the backwards migration of wireless innovation. In 1996, the FCC allowed up to 6 additional wireless companies. Innovation was astounding and has been since. Since this time, average monthly invoices have increased as the

number of national carriers have dwindled down to only 4. The FCC really needs to side with consumers on this and flat out deny this entire transaction completely.

Thank you.